

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

**CIVIL APPLICATION NO. 1974 OF 2006
IN
FIRST APPEAL ST.NO. 7037 OF 2006.**

The New India Assurance Co.Ltd.
Versus.
Ashok Ramchandra Chavan and ors.

... Applicant.
... Respondents.

Ms.Ratna Bhargavan i/by M/s.R.Bhargavan & Associates
for the Applicant

Shri M.G.Barve for the Respondent No.1.

CORAM : ABHAY S.OKA, J.

DATED : 24th July, 2006.

P.C.:

1. Heard the learned Advocates appearing for the parties. In view of what is held in paragraph 31 of the decision of the Apex Court in the case of National Insurance Co.Ltd. v/s. Nicolletta Rohtagi [(2002) 7 S.C.C. 456], the Appeal at the instance of the Appellant is prima facie maintainable. After having heard the Advocates appearing for the parties, I find that a sufficient cause for condonation of delay of two days is made out. Rule is made absolute in terms of prayer clause (a).

Judge.